

Dec. 26. 2018 3:33PM Judge Lorensen

No. 4178 P. 4

**IN THE CIRCUIT COURT OF PLEASANTS COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**BB LAND, LLC, a West Virginia company,
and JB EXPLORATION 1, LLC,**

Plaintiffs,

vs.

**CIVIL ACTION NO. 18-C-2
Presiding: Judge Michael D. Lorensen
Resolution: Judge H. Charles Carl**

**BLACKROCK ENTERPRISES, LLC, a
West Virginia company, and
MICHAEL L. BENEDUM,**

Defendants.

FILED IN OFFICE

DEC 28 2018

and

BLACKROCK ENTERPRISES, LLC,

**MILLIE FARNSWORTH
CIRCUIT COURT CLERK
PLEASANTS COUNTY**

Defendant/Third-Party Plaintiff,

vs.

**JAY-BEE PRODUCTION COMPANY, a
West Virginia corporation, JAY-BEE OIL &
GAS, INC., a West Virginia corporation,
RANDY BRODA, and DEBBIE V. BRODA MORGAN,**

Third-Party Defendants.

Order Denying Motion to Dismiss

On the 27th day of August 2018, the Third-Party Defendants Randy Broda and Debra V. Broda Morgan filed a motion to dismiss. Even though there has not been a briefing schedule on this motion, the motion addresses a matter committed to the discretion of the court. The court finds that Defendant and Third-Party Plaintiff did make efforts to serve and there is no showing of any prejudice due to the failure to serve within the time afforded by Rule 4(k),

Dec. 26. 2018 3:33PM

Judge Lorensen


No. 4178 P. 5

Rules of Civil Procedure. The court will therefore extend the time for service to accommodate the service made by the Defendant and Third-Party Plaintiff upon Randy Broda and Debra V. Broda Morgan.

The motion to dismiss is denied.

The clerk is directed to enter this order in and for the date set forth below and to send an attested copy of this order to counsel of record.

Entered this 26 day of December, 2018.



Michael D. Lorensen
Circuit Judge